FITZ-JOHN PORTER.

The Bill for His Restoration Discussed in the Senate.

Mr. Sewell Speaks in Behalf of the Dismissed Officer.

And Mr. Wilson Makes a Strong Argument Against Interfering With the Sentence.

Further Debate on the Postoffice Approprintion Bill in the House,

THE SENATE.

The chair laid before the senate a communication from the secretary of was transmitting, in compliance with a recent resolution of the senate, reports of Rear Admiral Cooper and Lieut, Rogers, showing the progress of the work of building the Panama canal, with photographs of machinery used and views along the route.

Also, a communication from the acting attorney general, with a statement showing the number of persons convicted of crime in the District of Co-

lumbia for several years past.

The following bills were reported invorably from committees and placed on the calendar: By Mr. Jones, of Florida: The bill to provide for he erection of a public building at Jacksonville,

the erection of a public bounds.

Fig. Mr. Hoar, from the committee on claims: An By Mr. Hoar, from the committee on claims: An District Committee Committee

By Mr. Hoar, from the committee on claims: An original bill to provide for the asceriminatest of claims of American citizens for prolition committed by the French prior to July 31, 1801.

By Mr. Harrison, from the committee on military affairs: To authorize the extension of the the a. e. ke and Oblo railroad to a point on the military innes at Fortress Monroe.

By Mr. Pugh, from the committee on education and labor: To establish an educational find and apply a portion of the proceeds of the public clauds to public education, and to provi to for the more complete engowment and support of colleges for the advancement of scientific and industrial education.

leges for the advancement of scientific and finance, it is detected in.

By Mr McTrill, from the committee on finance, with an amendment in the nature of a substitute: The bill authorizing the secretary of the treasury to deliver to the rightful owners the contents of certain boxes deposited in the treasury department by the secretary of war.

These are the boxis whose contents Mr. Butler said, when introducing the bill, were the property of private citizens, and consisted of articles valuable print fpaily as helricoms.

Bills were introduced and appropriately referred as follows:

valuable prin spaily as helricoms.

Hills were introduced and appropriately referred as follows:

By Mr. Hill: To provide for the erection of a public building at houlder, Col.

Mr. Miller said no senate committee on agriculture had reported to the senate a bill on this subject, but had this morning concluded to take up the bill passed by the house of representatives and after amending pass it.

The house bill provides for the organization in the department of agriculture of a bureau of animal landsiry, whose thief should be an experienced ver rhary surgeon, who should examine the condition of domestic animals and report the causes of contagious or communicable diseases among them, and the means of preventing them. The salary of the chief is fixed by the bill at \$3,000. It is made the duty of the commissioner of agriculture to prepare such rules and regulations as he may duem necessary for the speedy suppression of the diseases referred to to report such rules and regulations to the executive authorities of each state, and invite their co-operation in the enforcement of the act and when those subtor the

rules and regulations to the executive authorities of each state, and invite their co-operation in the enforcement of the act, and when those authorities accept such rules, &c., then the states, separately, shall pay one-half the expense necessary to stamp out the disease, the national government paying the other half.

The bill forbids reffrond and steamboat companies and others from transporting cattle affected by the diseases covered by the bill.

Two hundred and fifty thousand dollars is appropriated to defray the expenses involved by the bill.

propriated to defray the expenses involved by the bill.

The bill already reported from the senate committee contained two provisions which, Mr. Miller stated, that committee wished now to engraf in the house bill, when they would be willing to abaudon their own and adopt that of the house. One of these would provide that in case the authorities of a state or portion of a state in which the discasses existed should fail to take steps to stamp them out, or to co-operate with the containsioner of agriculture in doing so, should be quarantined by the president, who should problem the experiation of rattle from such state or district. The other provision which the cummittee desired to add to the house bill would require the payment by the general government of all the the payment by the general government of all the expenses incident to the work contemplated by

expenses incident to the work contemplated by the bill.

Mr. Miller said the committee were of opinion that this would be necessary in order to secure speedy and effective action; for, if the government were chiged to wait till the state acted, great delay might result, and in meanwhile the cattle in all the states surrounding that in which the diseases existed would be in danger of infection. After aliming to the urgent and immediate necessity for the passage of the bill, by reason of the breaking out of the fost and mouth disease in Kansas, Mr. Miller expressed the hope that the bill would be passed to-day.

Mr. Colesaint that if it had been expected to pass the bill to-day, or in two or three days, a great mistake had been made. He strennously objected to the bill in its present shape, for, if passed, so broad were its drink; it would include the disease known as Texas lever. Mr. Coke

objected to the bill in its present shape, for, if passed, so broad were its terms, it would include the clasence known as Texas lever. Mr. Coke would not object to the bill if its specifically named "pleuro-pneumonia" or lung lever. but was opposed to a bill which placed every heat of cattle from Virginia southwarm at the mercy of one of there of the government, no matter woo he might be. The cattle of Texas allow represented \$140.000,000, the sheep \$40.000,000, not to mention horses and mules; and when the cattle of all the southern states were saided to this, the interest was too large to be under the absoluce control of one man, from whose decision there was no appeal.

Mr. Morgan expressed the hope that time for debate would be permitted. The bill involved some grave constitutional questions.

After further remarks by Mr. Miller, Mr. Coke, Mr. Maxey and Mr. Mc. Merson, the hour of two o'clock having arrived, the chair laid before the senate the special order for the day, being the bill for the relief of Fits-John Porter.

Mr. Miller moved to lay aside the special order, so as to permit the continuance of debate on the

so as to permit the continuance of debate on the pleuro-passimonia bill, but the senate, by a vote of 33 yes, to 34 mays, refused to do so. Mr. Sewell then addressed the senate on the

Fitz John Porter bill.

The bill to restore Fitz-John Porter to the army was, he said, substantially the same as that passed by the senale at the last session of congress. Of its merits he had here before spoken. He proposed now to make but a few romarks, and the conty to brush away the few doubts on the justice of the measure which night exist in the minds of those who had not had full opportunity to study the case. The bill was based on the recommendation of an advisory board of officers appointed by the President to examine fully into the medits of the case, and to report what action, if any, in their opinion, justice required should be taken by the President.

Fresident.

The bill, Mr. Sewell continued, was to authorize an act of justice to be done to an injured man. That man had been an officer of high standing and untarnished reputation through long years of faithful and valuable service in the cause of his That man had been an other of high standing and untartished reputation through long years of faithful and valuable service in the catae of his country. Congress was used in the bill to act, not as a court of appeals, but as a legislative body on the voice of a court of appeals, pronouncing the wrong done and the legal remedy. It was true, as had been as orted, that the decision of the advisory board had not, in a legal sense, the power and rights of a decision by a court of appeals, the indicates he was an advisory board.

Mr. Sewell concluded as follows: I am interested, Mr. President, in this case of Fitz-John Portor because he served in the army of the Potomo during the ordire period he was connected with fi, from its formation, and because I know the man and his requiration as a soldier. I am interested for the many. I am interested for the monor or our government and the sense of inside of our people, and to see that no stalls shall rest upon them by the failure of their representatives to right a wrong recognized by our government and demanded by

ree-guize! by our government and demanded by our countrymen through an almost united public

army is of our creation, and exists by the will of congress. It becomes our duty to waten its government and to remedy its errors. Mr. President, Gen. Porter's case is notice it is yourgit is inst of congress; it is that of every just and honorable man in the nation.

I now submit it for the action of the senate, confident that our countrymen will be grateful to every one who helps to set this case arrint.

Mr. Wilson followed. It was not his purpose, he and

to enter into a discussion of the quest main this case. That which was plain to all he said, to enter into a discussion of the questions of met in this case. That which was plain to nit men and about which there was to seet of dispute, entered as an er er was insued to then, Predom Porter by his commanding officer, which order to a road not obyged. The contributed to what would have be spenious guisses as to what would have happened had tien, rorter obeyed his orders; but guesting was useless. No man could tell what would have been the result of obsellence.

The statement that Porter's disobadience of

The statement that Porter's disobedience of The statement that Forter's disobedience of orders prevented a greater disaster was simply a repetition of the guess in another form. The fact was that there had been disobedience, and there had been disobedience, and there had been disobedience could not now be demonstrated, because we could not rejeat the constrons. This, he continued, was not a question of mere personality. Early, fever, and so serious a question of intillary faw come before constraints for its consideration. At no time had it been anything so much as it had been a public ancestle.

conflict there had been disobedience, and there had been disobedience, and there had been disobedience, and there had been disobedience and the deam advance. Whether or not the dealer was due to the disobedience could not releat the conditions. This, he continued, was not a quastion of mere personality. Rarely, flever, and so serious a question of infillarly law come before congress for its consideration. At no time had it been a quitting so much as it had been a public question.

It was grave public question to day, notwithit was sought to surround it. The principle with which we were decling was not different from what it would be if we were formulating an article of war requiring all officers. There were no theories we could any accept no beginning to the wear of the trial of the surrounding and article of war requiring all officers. There were no theories we could any accept no beginning to the first the distribution of the surrounding any article of war requiring all officers. There were no theories we could any accept no beginning to the conditions of their superior officers. There were no theories we could any accept no beginning to the conditions of their superior officers. There were no the surrounding any article of war requiring all officers, there were the results we could any accept no beginning to the conditions of the surrounding the conditions of the surrounding the conditions of the surrounding to surrounding the surrounding the

the duty of a military officer to obey lawful orders. That duty was met here by an alleged right to the exercise of discretion. An affirmance of the senate of the duty would defeat the bill; a declaration of the right to exercise the discretion would pass the bill. The supporters of the bill did not claim that Gen. Porter had obeyed the lawful orders of his superior officer, they merely advanced a justification for the failure to obey. It was clear, therefore, that the duty of obedience was in this case squarely confronted by the discretion to disobey.

was in this case squarely confronted by the discretion to disobey.

War, Mr. Wilson said, was not a merciful employment. A conitest of arms meant death. Is times of war armies were organized to fill and be killed. The articles of war were in force in August, 1862, when the proposed of the commanded the army of Virginia, and Gen. Forter commanded a corps of that army. Whatever lawful order force of war armies were in force in August, 1862, when the proposed in the manner prescribed by the ninth article of war strictly, and with alsority and good faith. The penalty for not performing that duty, as prescribed by the same article, was death, or such other punishment as a court martial might impose. No man doubted Gen. Porter's ability as a soldier, neither did any one doubt his knowledge of milliary law, yet he had assumed a discretion which telologed to no one but his superior officer, well knowing that the assumption of such discretion would plut an end to military organization. There had been here such disolvedience as might have been poinished with death. Discretion had no place in military law, whon an officer or soldier reserved a well-defined lawful command from his superior officer, floor. Porter had the right of discretion claimer for him in this instance, the same right would have to be accorded to every other officer of the army, and military discipline and efficiency would be utterly desired on the results of the army, and military discipline and efficiency would be utterly desired.

for him in this instance, the same fight would have to be accorded to every other officer of the army, and military discipline and efficiency would be utterly destloyed.

Mr. Wilson reviewed the case at some length in its legal suspects, and communed that if the senate passed this fill it should, to be consistent, repeal the fill had not continued that if the senate passed this fill it should, to be consistent, repeal the fill had not start with his whole corps at I o'clock and be at an assigned station by daylight. Did that mean that if he should see it not to ovey the order it did not matter? If Gon, Pope had issued an order which would carry such an implication—which could be interpreted as Gen. Porter interpreted the order in this instance—he (feen, Pope) would be haughed at, It would be like issuing an order sying, "The major general directs you to start at 1 o'clock to-night; but, of course, this is left entirely to your own discretion. You must be here by daylight, but in this respect also you are expected by me to exercise your discretion. You shall be here at that time or later or at all." How was it possible to conduct military affairs involving such stupendous consequences upon orders of that character? If discretion ran as to an order, why not write it in the order itself? How could a commanding officer to into an engagement with this sort of discretion existed, it should case to rat all; if our order, why not write it in the principles taught here. It should case to require those professors to teach our future officers the discretion existed, it should direct the professors at West Point to inaugurate a change in the principles taught here. It should case to require those professors to each our future officers the discretion existed, it should exist to supersme, and had so impressed Mr. Wilson's mind, that he had not cared to analyze the motivo of gen. Porter. Such analysis had been made by others, and had so impressed Mr. Wilson's mind, that he had not cared to analyze the motivo of presenting the

appreciation of the offense, but did not magnify the proportions.

Mr. Manderson took the floor, but on the suggestion of Mr. Logan, gave way for a motion that the senate go into executive session. Mr. Logan saying that he thought the senate could get through with the bill to-day if debate chonical begin early. The senate then (at 5:15 p. m.) went into executive session, and when the doors were re-opened adjourned.

THE HOUSE.

On motion of Mr. Jones, of Alabama, Saturday, April 12, was set apart for the consideration of resolutions touching the death of Mr. Herndon, a nember-elect from Alabama.

The morning hour having been dispensed with, he house, at 12:25, went into committee of the whole (Mr. Buckner in the chair) on the postoffice appropriation bill.

The pending amendment was that offered by Mr

Horr, increasing from \$19,500,000 to \$12,220,000 the appropriation for the compensation of post-

Mr. Belford, in allusion to some remark made by Mr. Skinner Tuesday as to the amount of revenue paid into the postoffice department by the state of New York, asserted that 90 per cent, of the money turned into the treasury department by the west and south was expended in the east, and declared that it was time that the western and southern men should cease to follow under the banner of eastern leaders, whether they belonged to one party or another. He crincised the action of Mr. Townshend, of Illinois, a western man, in tanding out in the interest of eastern democrats to impair and contract the mail service of the west, and described the democratic party in the house as a herd of political cunuchs, without man-

Mr. Townshend dismissed Mr. Belford's speech Mr. Townshend dismissed Mr. Belford's speech with the remark that experience had taught nin mat it would have no influence on the vote on the pencing amendment, and defended the bill, declaring that it was the most liberal postoffice bill which had ever been brought into the house. He charged that the committee on appropriations of the last congress had intentionally cut down appropriations for the purpose of creating a deficiency, which must be met by a democratic house, in order that the republican party might pose before the country as economists.

The amendment was lost—74 to 89.

Mr. Davis, of illinois, moved to strike out the clause limiting the salaries of postmester to 54,000. He argued in favor of paying a sufficient salary to the postmasters of nine great cities, who were

the argued in layer of paying a success sainty to the postimasters of nine great cities, who were directly attacked by the bill, and showed the great respectivity which attached to their position and the vast amount of business which was trausace dat their respective offices.

M. Holman offered an amendanent fixing the salary of the postmaster at New York at 88,000. He admitted that the business at the nine great offices was vast, and that large bonds were required, but he defined that, under existing law, any responsibility attached to the office of postmister.

master.
Mr. Money (chairman of the post office commit-

any responsibility attached to the office of postmister.

Mr. Money (chairman of the post office committee) advocated Mr. Bavis's amenimaent, believing
that a better service could be procured by paying
reasonable salaries, and controveried the statement that no responsibility rested on the postmasters at the large offices. Congress would be
unfaithful to its trust if it trimmed down, from a
false sense of economy, the salaries of these officers.

Mr. Holman said that this was the first instance
of an advocacy of extravagance from the democratic side, and appealed to the house to support
the committee on approprisitors in its measures
of economy. In a republic economy and honesty
were convertible terms.

Mr. Potter said that he was always in favor of
economy, but that the enting down of salaries to
such an extent that the requisite talent and
ability could not be procured for the sum offered
was not economy. It was waste, He knew what
the value of such services in New York was, and
ac averred that the necessary talent could not be
procured for \$4,000 or \$6,000. Eight thousand dollars was not an adequate salary.

Mr. Morse capaced the re-interion of the salaries
of postmasters, and stated that when the office at
flection was vacant there were only five applicants
for the position on secount of the small salary
and the large bond required, he had just retimed to go on the bond of his postmaster.

Mr. Dunn inquired whether he would have gone
on the same man's bond if the salary lad been
larger.

Mr. Morse replied that he would have gone
on the same man's bond if the salary had been
larger,

Mr. Home the was farefueld.

Mr. Heagan advocated the bill in its present
shape, declaring that help salary had been
larger,

Mr. Horse replied that we not done he could
not except New York was made because of
the sanaway and intuited under low salaried as high salaried officers.

Mr. Horse replied that the would have done so
mest decidedly. The idea of cauting down the
salary of that office was farefueld.

Mr. H

which had just published his picture to the country.

The question being on Mr. Holman's amendment it was rejected, the opponents of the limitation clause all voting against it.

The motion to strike out the limitation clause was agreed to—117 to 45.

This leaves the saturies want present.

Mr. Horr moved to increase the appropriation for clerks in posionices by \$155,000.

The committee rose for the purpose of limiting details on this amendment.

Mr. Townshend was willing to accord thirty minutes, but the republicans field out for forty.

Nearly two house were consumed in roll calls without any accountedation in regard to the disputed ten minutes being arrived at but finally the shorter time was a recutt, and the committee resumed its session. The increased appropriation was havored by Mr. Str. Cutcheon, hinghem, and I. rr, and opposed by Mr. Holman and Mr. Townstein.

The amendment was lost—77 to 11.

shend.

The amendment was lost—77 to 111.

Mr. Skinner offered an amendment increasing by \$400,000 the appropriation for the payment of letter carriers.

Pending setion, the committee rose, and the house, at 5 o'clock, adjourned.

CONFIRMATIONS.

MR. COOK CRITICISES.

He Says the Star Route Cases Were Mismanaged and Blas Overpaid.

Mr. Gibson Denies That He Was Employed by Both Parties,

William A. Cook continued his testiment vesterday before the Springer committee He corrected a statement he made Tuesday. and said that Col. Wood offered him a retainer of \$20,000 instead of \$25,000 if he would defend those against whom indictments might be found. Mr. Cook read a letter sent by him to Mr. Bliss, in which he referred to star route proceeding in the police court without consulting witness. He suggested in the letter: "Whether it would not be better and wiser for you to consult with me, rather than with those knowing less about the case."

Mr. Cook thought there was no necessity for the police court proceedings, which conabout two months. For this service Mr. Bliss received \$5,000 or \$6,000. The witness, claiming that his services were of the same character as those performed by Mr. Bliss, prepared a bill for \$2,500 for about the same period. The attorney general reduced

same period. The attorney general reduced itto \$1,000, igiving as his reason that the sum asked was more than was allowed cabinet officers or judges of the supreme court.

Mr. Cook replied that he could not admit that the pay of a cabinet officer should be the standard of pay of an attorney-at-law. It was not so considered, the witness said, in the case of the attorney general or Mr. Bliss. Mr. Cook thought the cases in the police court ought not to have occupied more than court ought not to have occupied more than two days, instead of more than two months. The trial of those indicted, he believed, was

unnecessarily protracted.

Mr. Cook referred to the selection of star route counsel, and characterized Mr. Ker as a "supposed expert. He said the length of the trial was due to "conglomerated indictments." The witness spoke of the two juries, and said

The witness spoke of the two juries, and said that they were composed of good men.

"Was the government's case delayed by the absence of counsel?" was asked.

"It unquestionably was," the witness replied. "Mr. Bliss often returned to New York to attend to private business. In his claim for expenses he made charges for railroad fare from Washington to New York and from New York to Washington several times. I inquired at one time what was to be allowed Mr. Bliss, and was startled to learn that he was to get \$100 a day. Afterward, in that he was to get \$100 a day. Afterward, in his expense account, I found a charge for washing."

Witness thought that the compensation awarded Bliss was "extravagant, unjusti-fiable, and uncarned in every respect." Twenty thousand dollars would have been

ample pay.

In reply to questions of Mr. Stewart witness said that he had been on the best possible personal terms with Mr. Bliss, had been associated with him in one or two cases. before the star route trials, but since then had nothing to do with him. Perhaps he had no personal feeling, but he felt that the cases had been improperly handled and improper amounts paid for the labor done. At first he agreed with the leading counsel, but had a different opinion ultimately. Witness having stated that Mr. Bliss's

Witness having stated that Mr. Bliss's appointment was a political one, Mr. Stewart wanted to know whether Mr. Bliss's professional character was not a consideration that led to his employment. He asked the witness to "answer squarely." "I regarded Bliss," said Mr. Cook, "as an attorney of ordinary ability. But when it was desired to employ some one intimate with the president I favored him."

"Mr. Ker, you say, was a 'supposed expert.' What do you mean?"

"He was selected by the attorney general to prepare indistancies, because of his ability, and in his indictments he used the initials of two parties. There must have been a mis-

of two parties. There must have been a mis-take as to his being an expert."

Ker attempted to justify this form of in-dictment in court. Sanderson, whose initials were used in the first indictment, was not in the second. He was in Washington, and could have been indicted. Witness had been credibly informed that Bliss told Sanderson that he would not be indicted and might go home.

Referring to his former testimony, witness

said that he had omitted to say that before President Garfield was shot the attorney general had received anonymous and threat-ening letters. Mr. Cook asked to be excused until to-day that he might appear before Stewart said that the witness had Mr.

already told all he knew and more to.
"You don't mean that," said Mr. Cook. Mr. Stewart then said that the personal gossip given might be interesting political matter, but was of no use in the investigation which the committee was making.

Mr. Cook was excused, and Mr. Gibson was

recalled. He said there was no truth in the story that he received pay from J. W. Bosler for services while he was in the employ of the government. He had acted as Bosier's attor ney after leaving the government service. He had received \$2,500 from Bosler for legal advice given him. Rerdell had demanded \$5,000 from Bosler by letter and by telegram. Bosler was apprehensive of being smirched by being drawn into the star route cases by indictments, and employed witness to prevent

"What was in the letter and telegram?"
"In substance the telegram said: 'If you know when you are well you will pay my draft for \$5,000."

draft for \$5,000."
"Did you promise to Bosler any fact that you had not turned over to the government?" asked Mr. Van Alstyne.
"None whatever. I kept no cepies of the papers I had examined, and lett my copybook of letters at the postoffice department, where they are now, so far as I know."
"Did you sell may information to Resler or

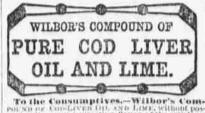
"Did you sell any information to Bosler or any one else while in the employ of the government?" Mr. Fyan inquired, "I never sold any information whatever,"

"What gave your advice the value of \$2,500? Didn't it depend on your services for the government?" asked Mr. Stewart. 'My advice was entirely disconnected with star route cases. I knew nothing of Bosler and Rerdell's connection whatever. The ad-vice I gave was entirely outside of any rela-tion that might exist between Rerdell and

Judge Advocate General of the Navy. The term of office of Col. W. B. Remey. United States marine corps, as judge advocate general of the navy will expire in June next, and there is already much talk as to who will probably succeed him. Among those mentioned for the office are Lieut, Wainwright, Medical Director Gihon, and Paymaster Robert W. Allen.

A Colorado Delegation Call on the Presi-A delegation from Colorado, including ex-

Senator Chilcott and ex-Delegate Bennett, sensor waited on the President yesterday and urged the appointment of Judgo Hallett to the United States circuit judgship vacated by



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P. S. Assisted by regular graduates of medicine.

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